

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-MV/LFG

RIO CHAMA STREAM SYSTEM  
Section 3, Canjilon Creek

Subfile No. CHCJ-005-0005

**ORDER AMENDING CONSENT ORDER**  
**IN SUBFILE CHCJ-005-0005**

**THIS MATTER** is before the Court on the motion of the plaintiff State of New Mexico, *ex rel.* State Engineer filed April \_\_, 2014 [Doc. \_\_\_\_\_] to amend the *Consent Order* entered on January 26, 2001 [Doc. 6458] in subfile CHCJ-005-0005 describing the water right of defendants Benjamin Leyba, David Leyba and Horace Leyba in connection with the Leyba Ditch.

Having reviewed the Motion and being fully advised in the premises, the Court will GRANT the motion.

**IT IS THEREFORE ORDERED**, that the X and Y coordinates for the Leyba Ditch contained in the January 26, 2001 *Consent Order* be corrected to read as follows:

**Point of Diversion:**

**Ditch Name:** LEYBA DITCH

**Location X:** 1,582,753 feet      **Y:** 1,983,686 feet  
New Mexico State Plane Coordinate System, Central Zone, 1983 N.A.D.

No other changes to the Consent Order entered on January 26, 2001 in Subfile CHCJ-005-0005 should be made at this time. No responses opposing the State's motion have been filed.

The Clerk of the Court shall mail a copy of this Order to the following:

Benjamin Leyba  
David Leyba  
Horace Leyba  
P.O. Box 463  
Canjilon, NM 87515

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**MARTHA VÁZQUEZ**  
**UNITED STATES DISTRICT JUDGE**

Approved:

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LORENZO F. GARCIA  
United States Magistrate Judge